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ATTENTION: BOX AFTER FINAL
RESPONSE UNDER 37 C.F.R. § 1.116
EXPEDITED PROCEDURE REQUESTED
EXAMINING GROUP 1642

PATENT

Customer No. 22,852

Attorney Docket No. 5552.0953-04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

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Mathias FIBI *et al.*

) Group Art Unit: 1642

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Application No.: 08/897,441

) Examiner: K. Canella

22mc

Filed: July 21, 1997

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KG

For: *Erythropoietin (EPO) Peptides and
Antibodies Directed Against These*

)

8/16/02

Assistant Commissioner for Patents

Washington, DC 20231

Sir:

RESPONSE AFTER FINAL

In reply to the Final Office Action of March 12, 2002, the period for reply having been extended to August 12, 2002, by a Petition for Extension of Time and fee filed herewith, and pursuant to 37 C.F.R. § 1.116, Applicants request consideration of the following arguments as they apply to the new references relied on by the Office.

REMARKS

Claims 5-7, 9-12, and 14-23 are pending. Applicants gratefully acknowledge the Office's allowance of claims 9, 14-16, and 22. The Office maintains its rejection of claims 5, 6, 11, 12, 17-20, and 23, under 35 U.S.C. § 102(b) and its rejection of claim 10 under 35 U.S.C. § 103(a).

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